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APPLICATION NO. FILING DATE		NG DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/740,691 12/18/2003		18/2003	Kory W. Longhurst	2316-5557.1US	1070	
24247	24247 7590 11/07/2005				EXAMINER	
TRASK BI	TTL		KRAUSE, JUSTIN MITCHELL			
P.O. BOX 2550 SALT LAKE CITY, UT 84110			ART UNIT		PAPER NUMBER	
				3682	3682	

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Ligaminer				Application No.	Applicant(s)					
Justin Krause Justin Kraus	Office Action Summary			10/740,691	LONGHURST, KORY W.					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address − Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provided of 30° FR11-130°, in ne event, nevere, may any by a limby limid If NO period for right is specified above, the maximum statutory printed will apply and will expire SIX (5) MONTHS from the mating date of this communication. Fallule to price yill within the set or caredded period for regive the application for secone AdaProNote(5) SiJ S.C. § 135). Any noty received by the 30° FR11-140° and the second period of regive the application for secone AdaProNote(5) SiJ S.C. § 135). Any noty received by the 30° FR11-140° and the second period of regive the application for secone AdaProNote(5) SiJ S.C. § 135). Any noty received by the 30° FR11-140° and the second period of regive the application for secone AdaProNote(5) SiJ S.C. § 130° and the communication. Fallule to precious the first price of the maximum statutory provided will apply and the second period of regive the application (5) SiJ				Examiner	Art Unit					
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provision of 37 CFR 1.13(a). In an event, however, may a reply be timely field after SIX (6) MCNTHS from the mailing date of this communication. Fallules or largy within the act or contended period for reply will, by status, cause the application is become ABANDONED (35 U.S.C. § 130). Any reply received by the Office later than three months after the mailing date of this communication. Fallules or largy within the act or contended period for reply will, by status, cause the application is become ABANDONED (35 U.S.C. § 130). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any seamed patter them adjustment. Sea 77 CFR 1.70(b). Status 1) □ Responsive to communication(s) filed on 18 December 2003. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-17 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 70 □ Claim(s) is/are rejected. 71 □ Claim(s) is/are rejected. Application Papers 9) □ The specification is objected to by the Examiner. 10 □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 9) □ The provision of the provision of the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 □ Acknowledgment is made of a claim for foreign			nication app	ears on the cover sheet with the	correspondence address					
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				6) Other:						

Application/Control Number: 10/740,691 Page 2

Art Unit: 3682

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-8, drawn to a linear bearing assembly, classified in class 384, subclass 42.
 - II. Claims 9-17, drawn to methods of adjusting bearing pads, classified in class 29, subclass 898.03.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the device can be adjusted by a method not involving a guide rail.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Joseph Walkowski on October 31, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Krause whose telephone number is 571-272-3012. The examiner can normally be reached on Monday - Friday, 7:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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RICHARD W. RIDLEY
PRIMARY EXAMINER

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